

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 3:15-CR-029-MMD-(WGC)
)
ERIC DEWAN DAVIS,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that defendant ERIC DEWAN DAVIS pled guilty to Count One of a Three-Count Superseding Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Superseding Indictment, ECF No. 13; Change of Plea, ECF No. 26; Plea Agreement, ECF No. 27.

This Court finds defendant ERIC DEWAN DAVIS agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Indictment. Superseding Indictment, ECF No. 13; Change of Plea, ECF No. 26; Plea Agreement, ECF No. 27.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Indictment and the offense to which defendant ERIC DEWAN DAVIS pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c):

- 1 1. a Sturn Ruger .22 caliber revolver bearing serial number 64-62306;
- 2 2. an Interarms Astra .45 caliber handgun bearing serial number S0252;
- 3 3. any and all ammunition
- 4 (all of which constitutes property).

5 This Court finds the United States of America is now entitled to, and should, reduce the
6 aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
8 United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
10 ERIC DEWAN DAVIS in the aforementioned property is forfeited and is vested in the United States
11 of America and shall be safely held by the United States of America until further order of the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
14 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
15 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
16 name and contact information for the government attorney to be served with the petition, pursuant to
17 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
19 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
20 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
21 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
22 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
23 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
24 petition and the relief sought.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
26 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South

1 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if
2 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the
3 official internet government forfeiture site, www.forfeiture.gov.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
6 following address at the time of filing:

7 Greg Addington
8 Assistant United States Attorney
9 100 West Liberty Street, Suite 600
Reno, NV 89501

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
12 following publication of notice of seizure and intent to administratively forfeit the above-described
13 property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of
15 this Order to all counsel of record.

16 DATED this 30th day of November, 2015.

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20 UNITED STATES DISTRICT JUDGE
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